

Officer Report

Application No.	26/1006/FH
Site Address	8 Paddock Close, Lydd, Romney Marsh, TN29 9BT
Officer Name	Tom Bevan
Proposal	Works to tree subject to TPO No. 01 of 1974 comprising of Ash, re-pollard back to previous point by 6 metres.

Recommendation

Report Number	RD-440501
Recommended Decision	Recommended to be Approve with Conditions
Recommendation Date	21 July 2026

SITE VISIT

A site visit was undertaken on 20/07/2026.

The tree associated with this application is within the private rear garden of the site address. Access was not permitted; however, the tree is clearly visible from the parking area of the address and was assessed from there.

SITE DESCRIPTION

The site is 8 Paddock Close, an end of terrace dwelling situated within a cul-de-sac on the northwest side of the High Street and within the historic town of Lydd.

The large mature Ash is one of several substantial trees located in and adjacent to the rear garden of the property. It is one of a number of trees protected by blanket Tree Preservation Order No. 1 of 1974, and together with adjoining vegetation, it serves to enhance the amenities of this residential location

RELEVANT SITE HISTORY

There have been four previous tree related applications for this site.

98/0401/SH - Trimming and shaping of 10 trees the subject of Tree Preservation Order Number 1 of 1974, (as amended by letters date stamped 27th August and 9th November 1998) – Approved.

Y02/1053/SH - Crown reduction and trimming of 28 Holm Oak, Ash, Sycamore and Alder trees and felling of individual and group Sycamore trees the subject of Tree Preservation Order No 1 of 1974 – Approved.

Y12/0858/SH - Crown reduction of an Ash (T1) and a Sycamore (T2) and the reduction of a group of Sycamores to 3 metres in height, all subject of Tree Preservation Order No.1 of 1974 – Approved.

20/0861/FH - Crown reduction of one Ash subject of Tree Preservation Order No 1 of 1974 – Approved.

PROPOSAL

Works to tree subject to TPO No. 01 of 1974 comprising of Ash, re-pollard back to previous point by 6 metres.

PUBLICITY

Neighbours notified by letter. Expiry date: 16/07/2026.

NEIGHBOUR REPRESENTATIONS

No representations have been received.

CONSULTATION RESPONSES

Town Council - No response received.

RELEVANT POLICIES

National Planning Policy Framework (NPPF) 2024

Section 15: Conserving and enhancing the natural environment

Town & Country Planning Act 1990 and Town Country Planning (Tree Preservation) (England) Regulations 2012.

APPRAISAL

The subject to this application is a large mature Ash tree of moderate quality. The tree was previously reduced six years ago as it had become too large for the space it is located in. Although the tree provides an important landscape feature it has now started to encroach on the dwelling of the applicant and overhanging the adjacent boundary. It is reasonable to expect on going tree management works to mitigate against the potential of the tree becoming a nuisance.

The proposed pruning works appear reasonable and acceptable and in line with good arboricultural practice to address the above issues.

It is not considered that the proposals are likely to compromise the long-term health of the tree, its visual amenity within the Tree Preservation Order, or the character and appearance of the area.

PUBLIC SECTOR EQUALITY DUTY

In determining this application, regard has been had to the Public Sector Equality Duty (PSED) as set down in section 149 of the Equality Act 2010, in particular with regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and

- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

It is considered that the application proposals would not conflict with objectives of the Duty.

HUMAN RIGHTS

I have also taken into account the human rights issues relevant to this application. In my view, the Assessment section above and the Recommendation represents an appropriate balance between the interests and rights of the applicant (to enjoy his land subject only to reasonable and proportionate controls by a public authority) [and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties)] and the wider public interest.

RECOMMENDATION

In light of the above, it is considered the proposal complies with the above policies and the NPPF and is therefore, recommended for approval subject to conditions.

Recommended Conditions (3)

1

The work hereby permitted shall be begun before the expiration of two years from the date of this consent.

Reason: To enable the Council to consider the position again should the work not be carried out within the prescribed period.

2

The agreed works shall be carried out in accordance with British Standard 3998: 2010 (Tree Work - Recommendations).

Reason: To ensure that the works are carried out with good arboricultural practice in accordance with industry recommendations and local policy.

3

The work hereby approved relates to the following schedule of works.

Schedule of works: - Works to tree subject to TPO No. 01 of 1974 comprising of Ash, re-pollard back to previous point by 6 metres.

Reason: For the avoidance of doubt and to preserve the arboricultural amenity value that the trees provide to the surrounding area in accordance with local policy.

Suggested Informatives (2)

1

Care should be taken to consider nesting birds between March and September as in accordance with the Wildlife and Countryside Act 1981 (as amended) and also the need to consider the protection of any roosting or foraging bats afforded protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations (2017) (as amended).

2

Works to trees could result in disturbance to wild animals, plants and important wildlife sites protected by law. It is the applicant's responsibility to ensure that appropriate precautions are taken to ensure that an offence is not committed. Further advice can be sought from Natural England and/or Kent Wildlife Trust.